

REMARKS

Claims 6-11 remain active in the application. Claim 6 is independent. By this Amendment, claim 10 is amended to correct a misspelling. Claims 12-14 are new, claim 12 being independent. No new matter is added by this Amendment.

Claims 6-9 stand rejected on the ground of nonstatutory obviousness-type double patenting as unpatentable over claim 1 of U.S. Patent No. 7,651,232. Claims 6-9 stand rejected under 35 U.S.C. § 102(b) as anticipated by Choi (U.S. Patent no. 5,795,052). Claims 6-9 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Lamb (U.S. Patent no. 3,619,592). Claims 10-11 stand rejected under 35 U.S.C. 1 03(a) as unpatentable over Lamb or Choi and further in view of Thompson et al. (US 4,894,643).

The Claimed Invention

The present invention relates to a dishwashing machine, including a door pivotable about its horizontal axis; a switch arranged on the door, operable to generate an electric signal when a predetermined pivoting angle of the door is reached as the door is being opened; and a light source that illuminates the interior of the dishwashing machine, the light source being disposed in the interior of the dishwashing machine and being operably connected to the switch such that the light source is activated into an illuminated condition in response to the receipt of the electrical signal from the switch.

The Double Patenting Rejections

Claims 6-9 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 7,651,232. Applicants respectfully traverse these rejections, and ask that the rejections on the grounds

nonstatutory obviousness-type double patenting be withdrawn. In the alternative, the claims in this application are subject to amendment during prosecution, and as such, Applicants respectfully submit that this rejection be held in abeyance until allowance of claims in the present application.

The Rejections under 35 U.S.C. § 102(b)

The Rejections under 35 U.S.C. § 102(b) based on Choi

Claims 15-17, and 25-29 stand rejected under 35 U.S.C. § 102(b) as anticipated by Choi (U.S. Patent no. 5,795,052). Applicants traverse these rejections.

Independent claim 6, rejected under 35 U.S.C. § 102(b) as anticipated by Choi, recites a dishwashing machine, including a door pivotable about its horizontal axis; a switch arranged on the door, operable to generate an electric signal when a predetermined pivoting angle of the door is reached as the door is being opened; and a light source that illuminates the interior of the dishwashing machine, the light source being disposed in the interior of the dishwashing machine and being operably connected to the switch such that the light source is activated into an illuminated condition in response to the receipt of the electrical signal from the switch.

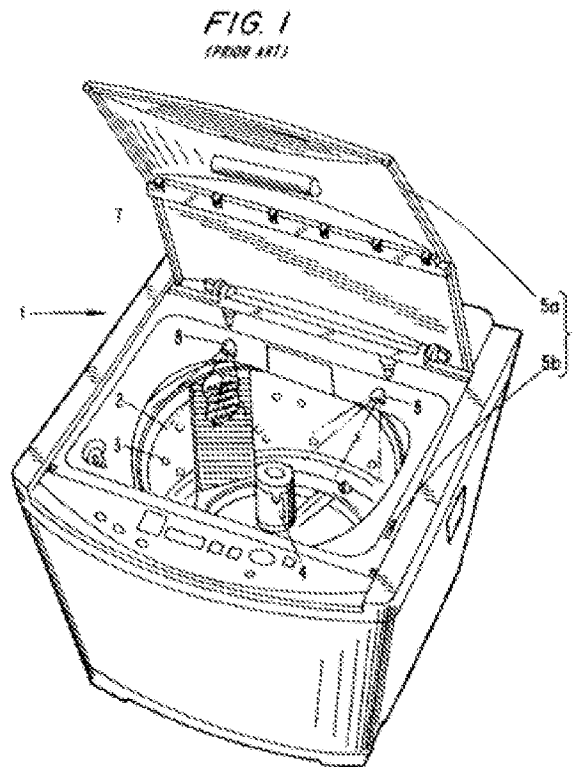
Choi does not disclose this combination of features. For example, Choi does not disclose a switch arranged on the door, operable to generate an electric signal when a predetermined pivoting angle of the door is reached as the door is being opened, as recited in claim 6.

With respect to these features, the grounds of rejection allege that "[Choi] includes a door pivotable about a horizontal axis, a switch 5 of which at least one portion

is located inside the door[.]" Applicants disagree with the interpretation of Choi as described in the grounds of rejection. The switch disclosed in Choi is in no way located on or inside the door. Rather, Choi discloses a washing machine with a door open sensor that includes a switch located on the machine body, not on the door:

In the washing machine, the door open sensor 5 includes a magnet 5a mounted to one side of the door 7, and a reed switch 5b whose contact is switched by a magnetic force of the magnet 5a.

However, in a conventional washing machine with an illumination lamp, although a user opens the door 7 by a predetermined angle, the magnet 5a is separated from the reed switch 5b by a constant distance, thereby operating the reed switch 5b. Simultaneously, a controller determines an open state of the door 7, and thus turns on the illumination lamp.



Choi, col. 1, lines 54-64; Fig. 1. As can be seen in Fig 1 of Choi reproduced above,

switch 5a is located on the main body 1 of the washing machine, and not on the door 7 of the washing machine. Thus, Choi does not disclose a switch arranged on the door, as recited in claim 6.

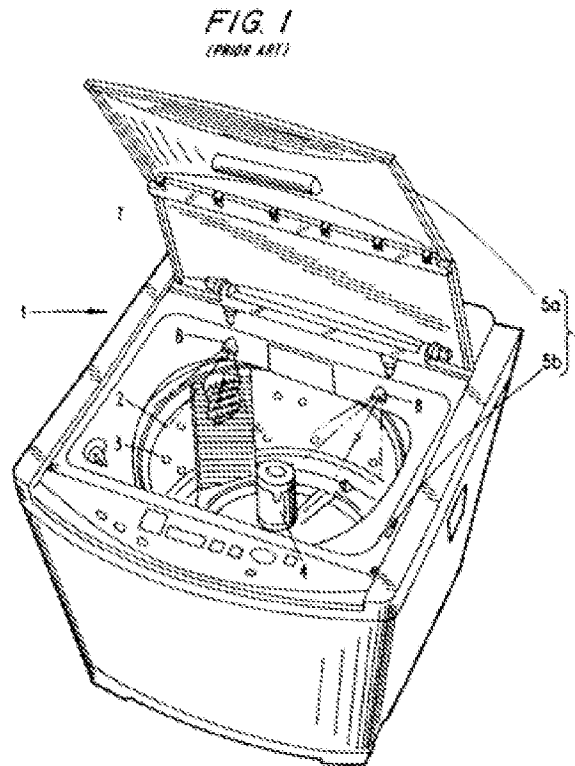
Furthermore, Choi teaches away from a switch that is operable to generate an electric signal when a predetermined pivoting angle of the door is reached as the door is being opened. As disclosed *supra*, the reed switch of Choi is "switched by a magnetic force of the magnet 5a," and "the magnet 5a is separated from the reed switch 5b by a constant distance, thereby operating the reed switch 5b" Choi, col. 1, lines 56-62. Thus, the switch disclosed in Choi is not operable as a function of the pivoting angle of the door, as recited in claim 6.

For at least the foregoing reasons, Applicants submit that claim 6 is not anticipated by Choi. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 6 under 35 U.S.C. § 102(b) based on Choi, and ask that the claim be permitted to issue.

Claims 7-9 depend from independent claim 6. Therefore, Choi does not anticipate claims 7-9 for at least the reasons given above with respect to claim 6. Moreover, claims 7-9 are patentable over Choi for reasons of their own. For example, claim 8 recites the dishwashing machine according to claim 6, wherein the switch is arranged inside the door. Choi neither discloses nor teaches this feature of claim 8. The switch disclosed in Choi is in no way located inside the door. Rather, Choi discloses a washing machine with a door open sensor that includes a switch located on the machine body, not on the door:

In the washing machine, the door open sensor 5 includes a magnet 5a mounted to one side of the door 7, and a reed switch 5b whose contact is switched by a magnetic force of the magnet 5a.

However, in a conventional washing machine with an illumination lamp, although a user opens the door 7 by a predetermined angle, the magnet 5a is separated from the reed switch 5b by a constant distance, thereby operating the reed switch 5b. Simultaneously, a controller determines an open state of the door 7, and thus turns on the illumination lamp.



Choi, col. 1, lines 54-64; Fig. 1. As can be seen in Fig 1 of Choi reproduced above, switch 5a is located on the main body 1 of the washing machine, and not on or inside the door 7 of the washing machine. Thus, Choi does not disclose or teach a switch arranged inside the door, as recited in claim 8.

As another example, Choi does not disclose or teach a dishwashing machine

including a door and a light source to illuminate the inner wall of the opened door, particularly to illuminate a crockery basket arranged on the door, as recited in claim 9. The grounds of rejection admit that Choi is a washing machine, and not a dishwasher, and furthermore the grounds of rejection allege that "applicant does not provide any limitations that contrast the 'dishwasher' from any other type of washer." Office Action, page 3. Applicants disagree. Choi neither discloses nor teaches illuminating a crockery basket arranged on the door. Thus, Choi in no way discloses a dishwashing machine including a door and a light source to illuminate the inner wall of the opened door, particularly to illuminate a crockery basket arranged on the door, as recited in claim 9.

For at least the foregoing reasons, Applicants submit that claims 7-9 are not anticipated by Choi. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 7-9 under 35 U.S.C. § 102(b) based on Choi, and ask that the claims be permitted to issue.

The Rejections under 35 U.S.C. § 103(a)

The Rejections under 35 U.S.C. § 103(a) based on Lamb

Claims 6-9 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Lamb (U.S. Patent no. 3,619,592). Applicants traverse the rejection.

Independent claim 6, rejected under 35 U.S.C. § 102(b) as anticipated by Lamb, recites a dishwashing machine, including a door pivotable about its horizontal axis; a switch arranged on the door, operable to generate an electric signal when a predetermined pivoting angle of the door is reached as the door is being opened; and a light source that illuminates the interior of the dishwashing machine, the light source being disposed in the

interior of the dishwashing machine and being operably connected to the switch such that the light source is activated into an illuminated condition in response to the receipt of the electrical signal from the switch.

Lamb does not disclose this combination of features. For example, Lamb does not disclose a *switch arranged on the door*, operable to generate an electric signal *when a predetermined pivoting angle of the door is reached* as the door is being opened, as recited in claim 6. The grounds of rejection admit that Lamb does not disclose a switch located on the door. Office Action, page 4. However, the grounds of rejection allege that "[r]elocating the switch is considered to be obvious, as it is a mere rearrangement of previously disclosed parts that fails to present unpredictable results." *Id.* Applicants disagree. As an initial matter, assuming *arguendo* that it would be obvious to a person of ordinary skill to locate a switch on the door of the dishwasher of Lamb, such a rearrangement of Lamb would still not disclose or teach a switch operable to generate an electric signal *when a predetermined pivoting angle of the door is reached* as the door is being opened, as recited in claim 6.

Furthermore, Lamb describes multiple configurations of the switch, none of which discloses or teaches a switch on the door operable to generate an electric signal *when a predetermined pivoting angle of the door is reached* as the door is being opened, as recited in claim 6. Rather, the multiple configurations of the switch disclosed in Lamb teach away from a switch on the door and operable to generate an electric signal when a predetermined pivoting angle of the door is reached as the door is being opened:

For the purpose of illuminating the interior of the tub or washing chamber when the door is open, a *pushbutton switch* 38 is provided in the front frame *for engagement by the door* and this switch will be connected in the energization circuit of the bulb to close the same upon opening of the door. The basic open door interior illumination is thus automatic.

Another switch, not shown, can be incorporated in the circuit responsive to *actuation of the control knob* 37 to turn the light on also whenever the knob is moved to a machine operating position. With this added control, the light then indicates to a user when the machine is running and can, furthermore, render more visible the setting of the control knob, with the latter usually turning from an adjusted on to an off position progressively as the operating cycle proceeds.

Lamb, col. 2, lines 35-48 (emphasis added). In the first configuration, the pushbutton switch of Lamb is arranged to operate only by direct contact with the closed door, and not when a predetermined pivoting angle of the door is reached, as recited in claim 6. In the second configuration, the switch is incorporated in a knob on the exterior of the dishwasher, and operable in response to movement of the knob, not in response to the door reaching a predetermined pivoting angle, as recited in claim 6. Thus, Lamb not only fails to teach or imply a switch arranged on the door, operable to generate an electric signal when a predetermined pivoting angle of the door is reached as the door is being opened, as recited in claim 6, Lamb teaches away from such a switch.

For at least the foregoing reasons, Applicants submit that claim 18 is patentable over Lamb. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 6 under 35 U.S.C. § 103(a) as unpatentable over Lamb, and ask that the claim be permitted to issue.

Claims 7-9 depend from claim 6. Therefore, claims 7-9 are patentable over Lamb for at least the reasons given above with respect to claim 6. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 7-9 under 35 U.S.C. § 103(a) as unpatentable over Lamb, and ask that the claims be permitted to issue.

Moreover, claims 7-9 are patentable over Lamb for reasons of their own. For example, claim 8 recites the dishwashing machine according to claim 6, wherein the switch is arranged inside the door. Lamb neither teaches nor implies this feature of claim 8. The grounds of rejection admit that Lamb does not disclose a switch located on the door. Office Action, page 4. However, the grounds of rejection allege that "[r]elocating the switch is considered to be obvious, as it is a mere rearrangement of previously disclosed parts that fails to present unpredictable results." *Id.* Applicants disagree. As an initial matter, assuming *arguendo* that it would be obvious to a person of ordinary skill to locate a switch inside the door of the dishwasher of Lamb, such a rearrangement of Lamb would still not disclose or teach a switch operable to generate an electric signal *when a predetermined pivoting angle of the door is reached* as the door is being opened, as recited in claim 6.

Furthermore, Lamb describes multiple configurations of the switch, none of which discloses or teaches a switch inside the door operable to generate an electric signal *when a predetermined pivoting angle of the door is reached* as the door is being opened, as recited in claim 6. Rather, similar to that discussed *supra*, the multiple configurations of the switch disclosed in Lamb teach away from a switch inside the door and operable to

generate an electric signal when a predetermined pivoting angle of the door is reached as the door is being opened:

For the purpose of illuminating the interior of the tub or washing chamber when the door is open, a *pushbutton switch* 38 is provided in the front frame *for engagement by the door* and this switch will be connected in the energization circuit of the bulb to close the same upon opening of the door. The basic open door interior illumination is thus automatic.

Another switch, not shown, can be incorporated in the circuit responsive to *actuation of the control knob* 37 to turn the light on also whenever the knob is moved to a machine operating position. With this added control, the light then indicates to a user when the machine is running and can, furthermore, render more visible the setting of the control knob, with the latter usually turning from an adjusted on to an off position progressively as the operating cycle proceeds.

Lamb, col. 2, lines 35-48 (emphasis added). In the first configuration, the pushbutton switch of Lamb is arranged to operate only by direct contact with the closed door, and not when a predetermined pivoting angle of the door is reached, as recited in claim 6. In no way could the pushbutton switch of Lamb, even if it were located inside the door, be operable when a predetermined pivoting angle of the door is reached, as recited in claim 6. In the second configuration, the switch is incorporated in a knob on the exterior of the dishwasher, and operable in response to movement of the knob, not in response to the door reaching a predetermined pivoting angle, as recited in claim 6. Thus, Lamb not only fails to teach or imply a switch arranged inside the door, operable to generate an electric signal when a predetermined pivoting angle of the door is reached as the door is being

opened, as recited in claim 6, but Lamb teaches away from such a switch. Thus, Applicants assert that claim 8 is patentable under 35 U.S.C. § 103(a) over Lamb.

For at least the foregoing reasons, Applicants submit that claims 7-9 are patentable under 35 U.S.C. § 103(a) over Lamb. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 7-9 under 35 U.S.C. § 103(a) based on Lamb, and ask that the claims be permitted to issue.

The Rejections under 35 U.S.C. § 103(a) based on Choi or Lamb and Thompson et al.

Claims 10 and 11 stand rejected under 35 U.S.C. 103(a) as unpatentable over Lamb or Choi and further in view of Thompson et al. (US 4,894,643). As discussed *supra*, independent claim 6, from which claims 10 and 11 depend, is neither anticipated nor taught by either Choi or Lamb. Thompson discloses an alarm system arranged to be actuated upon leaving a door to an appliance open longer than a preselected period of time. The addition of Thompson does not overcome the failure of Choi or Lamb to teach the features of claim 6, from which claims 10 and 11 depend. Therefore, claims 10 and 11 are patentable over Choi or Lamb in view of Thompson for at least the reasons given above with respect to claim 6. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 10 and 11 under 35 U.S.C. § 103(a) as unpatentable over Choi or Lamb in view of Thompson, and ask that the claims be permitted to issue.

CONCLUSION

In view of the above, entry of the present Amendment and allowance of claims 6-14 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,

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